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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN JOSE DIVISION

9 Angelina Sanchez, NO. C 08-04062 JW
10 Plaintiff, ORDER VACATING PRELIMINARY
11 v. PRETRIAL CONFERENCE
12 Kellogg USA, Inc.,
13 Defendant.

14 On October 26, 2009, the parties are scheduled to appear for a Preliminary Pretrial
15 Conference. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the
16 parties conferred and duly submitted a Joint Preliminary Pretrial Conference Statement. (hereafter,
17 “Statement,” Docket Item No. 27.) In their Statement, the parties represent that Defendant intends
18 to file a motion for summary judgment on or before December 21, 2009 and that they are attempting
19 to resolve the case “informally.” (*Id.*) Based on their joint submission, the Court finds good cause
20 to VACATE the Preliminary Pretrial Conference at this time and ORDERS as follows:

21 (1) A hearing on Defendants’ anticipated motion for summary judgment will be held on
22 **February 8, 2010 at 9 a.m.** All briefing shall be completed on or before **January**
23 **15, 2010.**
24 (2) The Court will set a new Preliminary Pretrial Conference date in its Order addressing
25 Defendant’s anticipated motion for summary judgment.

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27 Dated: October 21, 2009
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JAMES WARE
United States District Judge

United States District Court
For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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7 **Dated: October 21, 2009**

Richard W. Wiking, Clerk

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9 **By: /s/ JW Chambers**
10 **Elizabeth Garcia**
11 **Courtroom Deputy**

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